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Subject: Follow up Items RE: NGS Title V Comments
Attachments: TechnicalSupportDocument FIP 2009-12-07.pdf

Hi Raju and Yu-Lien,

Sorry it's taking a little longer to get back to you. Here are most of the follow up items. We will be sending you addition information on Comment 3 early next week – as we have a couple people out of the office at the moment. But, we wanted to get you what we have so far. Please let me know if you have any other questions.

1. Citation for FR Notices related to Delegation Agreement
 - Initial agreement: 69 FR 222, November 18, 2004
 - Supplemental agreement: 71 FR 16773, April 4, 2006
 - The time period for challenging either of these actions has expired.
2. Statements on Opacity/COMS/PM:
 - a. In general, the underlying applicable requirement cannot be challenged during the Title V renewal process. The commenter in this case is challenging whether EPA properly promulgated monitoring of opacity requirements in the FIP that was finalized on March 5, 2010. 75 FR 10174 (Mar. 5, 2010). The deadline for petitioning for judicial review of the opacity and COMs requirements was May 4, 2010. 75 FR at 10179. Therefore, the comment is not properly raised in this Title V permit renewal.
 - b. It is appropriate in the Title V renewal process to consider whether the permit includes requirements for adequate monitoring for particulate matter. The Title V permit for NGS includes adequate monitoring for particulate matter.
 - i. See attached TSD pages 19-20 regarding SRP's comment on the use of COMS. In our response, EPA states:

EPA agrees with SRP's comments that when the stack is saturated and has uncombined water droplets, the Continuous Opacity Monitoring Systems (COMs) cannot correctly read the opacity due to particular matter and has updated the final rule to reflect this change; however, NGS will continue to have a requirement to operate COMS on each stack. NGS is required to report those time periods when saturated stack conditions impact the opacity monitoring. EPA believes that it is reasonable to continue to require the COMs since there are times that NGS is allowed to bypass the scrubbers under the visibility FIP, and continued operation of the COMs will allow assessment of opacity and proper operation of the particulate matter controls during these periods.

- ii. This response indicates the basis for the opacity limit/COMS is to monitor the particulate matter controls. However, the permit in Section II.N contains requirements to directly and continuously monitor the particulate matter controls. In addition, PM emissions from NGS are determined quarterly under the MATS Rule to meet the requirement to demonstrate continuous compliance. See 40 CFR 63.10021 and Item 4, Table 7 to Subpart UUUUU of part 63 (Demonstrating Continuous Compliance). As such, these existing requirements can be relied upon to monitor the effectiveness of the PM controls when there are saturated stack conditions.
 - iii. Response to excursions of the monitoring parameters are identified in Section II.N.6.a, and could be updated to require a Method 9 reading with 24 hours if an excursion occurs. Such as: "Follow up actions shall include determining opacity from the stack, according to 40 CFR part 60, Appendix A-4, Method 9 within 24 hours of the excursion."
- c. Other statements in EPA regulations regarding COMS and wet stack conditions.
- i. 40 CFR 75.14(b) - *Unit with wet flue gas pollution control system*. If the owner or operator can demonstrate that condensed water is present in the exhaust flue gas stream and would impede the accuracy of opacity measurements, then the owner or operator of an affected unit equipped with a wet flue gas pollution control system for SO₂ emissions or particulates is exempt from the opacity monitoring requirements of this part.
 - ii. APPENDIX F TO PART 60, PROCEDURE 3—QUALITY ASSURANCE REQUIREMENTS FOR CONTINUOUS OPACITY MONITORING SYSTEMS AT STATIONARY SOURCES

4.0 What interferences must I avoid?

Opacity cannot be measured accurately in the presence of condensed water vapor. Thus, COMS opacity compliance determinations cannot be made when condensed water vapor is present, such as downstream of a wet scrubber without a reheater or at other saturated flue gas locations. Therefore, COMS must be located where condensed water vapor is not present.

- iii. The Comment Letter states that other facilities with wet scrubbers use COMs to measure opacity. As noted above, the Title V renewal is not appropriate to challenge the underlying applicable requirement that was promulgated in March 2010. We also note that EPA has frequently granted requests to exempt coal fired power plants using wet scrubbers from the requirement to operate COMs. See generally Jeffrey Energy Center determination at http://www.epa.gov/sites/production/files/2015-05/documents/jeffrey_energy_center_unit_3.pdf

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